

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Dominic Ali, *
Plaintiff *

v. * 12-cv-00364-SM

Warden Edward Reilly, Chaplain Dana Hoyt, *
Scott Watson, John Masse, Shanon Berwick *
Defendants *

AFFIDAVIT OF SHANON BERWICK

I, Shanon W. Berwick, upon oath do hereby depose and state as follows:

1. I am currently employed by the New Hampshire Department of Corrections (DOC) as a Lieutenant at the Northern New Hampshire Correctional Facility (NCF). I have been employed with the DOC for nearly fifteen years and have served as a Lieutenant at NCF since 2008. I make this affidavit on my personal knowledge.

2. On or about August 14, 2012, Corrections Officer Watson reported to me that he witnessed Inmate Ali entering the chow hall for breakfast with the F-block regular feeds. Because Inmate Ali was on the Ramadan fasting list and, therefore, not supposed to be in the chow hall, I told Officer Watson to get Inmate Ali and bring him to Lieutenant Masse's office.

3. When Inmate Ali arrived at the office I asked him why he was at breakfast when he is on the Ramadan fasting list. Inmate Ali told me that he likes to work out and needs protein and that they were serving eggs in the chow hall so, "I went for the protein." I stated to him that if you are participating in Ramadan you are not supposed to eat from sunrise to sunset for the entire 29 to 30 day period. He became angry and stated that he could pick and choose which

days he wanted to fast. We sent him back to his unit so that we could discuss this matter with Chaplain Hoyt.

4. I explained the entire situation to Chaplain Hoyt and he informed me the Inmate Ali was not free to receive his Ramadan feed for his cell and to also go to the chow hall for meals and that this would result in Inmate Ali's removal from the fasting list. Chaplain Hoyt asked me to advise Inmate Ali of this and to tell him that he could go and speak with the Chaplain about this in detail if he chose to.

5. I had inmate Ali brought down to my office again. At that time I found out that Inmate Ali had also attended lunch in the chow hall. I informed Inmate Ali that as a result of his going to the chow hall he was effectively off the Ramadan list. I also informed him that I had arranged for him to go and talk to the Chaplain if he thought there was a misunderstanding. Inmate Ali became very argumentative and stated that he was going to go to the Warden with a grievance. I am unaware as to whether Inmate Ali followed up with Chaplain Hoyt regarding this issue.

I declare that the foregoing is true and correct under penalty of perjury.

Dated: August 14, 2013

s/Shanon W. Berwick
Lieutenant Shanon W. Berwick